REMARKS

Applicant cancels claim 22 because independent claim 20, upon which claim 22 depends, was cancelled by the preliminary amendment that accompanied the filing of this continued prosecution application.

In that same preliminary amendment, Applicant inadvertently cancelled claim 26, upon which 27-32 depend. Because 37 CFR 1.121(c)(2) forbids merely reinstating the claim, Applicant is compelled to add new claim 70. Claim 70 corresponds to cancelled claim 26 as amended in a response filed on May 30, 2000. Applicant has therefore amended claims 27-32 to depend on claim 70 instead of on cancelled claim 26.

In response to the Examiner's rejection of the claims as being anticipated by *Burns*, Applicant points out that *Burns* does not teach a content manager that is in communication with two or more local servers.

Referring to FIG. 2 of *Burns*, the Examiner appears to consider the CMS (74) to correspond to the claimed content manager [39].[1] This CMS is evidently in communication with the ISP (56), which the Examiner associates with the claimed local server [44]. The CMS is not, however, in communication with any other ISP.

Applicant amends the claims to recite a second local server and a content manager that is in communication with both the first and second local servers. Applicant concedes that *Burns* may be modified by adding additional ISPs to the system shown in FIG. 2. However, each of those ISPs would then have its own CMS associated with it. Each such CMS would be in communication with only its own ISP. There is no teaching or suggestion in *Burns* of a single CMS in communication with two or more ISPs.

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[1] Reference numerals enclosed in parentheses indicate parts shown in Burns, FIG. 2; those enclosed in square brackets indicate parts shown in FIG. 3 of the specification.

In contrast, Applicant claims a system in which a single content manager [39] communicates with at least a first and second local server. For this reason, the claimed subject matter is patentably distinct over the cited art.

Now pending in this application are claims 1-4, 6, 7, 9, 11, and 27-72. Of these, clams 1, 33, 49, and 70 are independent.

Attached is a marked-up version of the changes being made by the current amendment.

Applicant asks that all claims be allowed. No additional fees are believed to be due in connection with this response. However, to the extend additional fees are due, or if a refund is forthcoming, please adjust our Deposit Account No. 06-1050.

Respectfully submitted,

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Version with markings to show changes made

In the claims:

Claim 22 has been cancelled.

Claims 1, 3, 4, 7, 9, 27-32, 33, 34, 49, and 50 have been amended as follows:

1. (Four Times Amended) A system for providing a viewable data object to a viewer receiver, said system comprising:

a first local server, [selected from a plurality of local servers,] for storing a first selection of viewable data objects, said first local server being in communication with said viewer receiver;

a second local server, for storing a second selection of viewable data objects;

a storage server in communication with [each of] said first local server[s], said storage server configured to store a set of viewable data objects that includes said first selection of viewable data objects;

a content manager in communication with said storage server, with [and each of] said first local server[s], and with said second local server, said content manager being configured to automatically control access, by a viewer receiver, to a viewable data object from said selection of viewable data objects.

3. (Thrice Amended) The system of claim 1, wherein said first local server is adapted to transmit a viewable data objects to a viewer receiver selected from a group consisting of a television and a personal computer.

4. (Thrice Amended) The system of claim 1, wherein said first local server is configured

to detect that a first viewable data object has a lower priority than a second viewable data object; and

to delete said first viewable data object to free space to store said second viewable data

object.

7. (**Thrice Amended**) The system of claim 1, wherein said content manager is adapted to control work queues for video data objects stored on said <u>first</u> local server.

9. (**Twice Amended**) The system of claim 1

wherein said <u>first</u> local server is in two-way communication with said viewer receiver, thereby providing interactive communication between said viewer receiver and said <u>first</u> local server.

27. (**Twice Amended**) The method of claim **70[26]**, wherein the act of sending the first data object and the act of sending the second data object are executed in response to requests from the viewer receivers.

28. (**Twice Amended**) The method of claim **70[26]**, wherein the act of selecting a first viewable data object and the act of selecting a second viewable data object are executed, in part, on the basis of operations data received from the local servers.

29. (**Twice Amended**) The method of claim **70[26]**, further comprising:

sending a list of available viewable data objects to the first local server; and

wherein the act of selecting a first viewable data object is executed in response to receiving the list and to priorities for data object content at the first local server.

30. (**Twice Amended**) The method of claim **70[26]**, further comprising:

receiving a request for a viewable data object from the first viewer receiver; and

wherein the act of selecting a first data object is executed in response to receiving the request from the first viewer receiver.

31. (**Twice Amended**) The method of claim **70[26]**, further comprising:

transmitting meta data from a central manager to the local servers; and

receiving a request for a viewable data object from a viewer receiver in response to streaming a portion of the meta data on the viewer receiver.

32. (Twice Amended) The method of claim **70[26]**, wherein the act of selecting includes calculating a delay with operations data from the first local server; and

wherein transmitting a first viewable data object is performed after the delay ends; and further comprising:

storing a portion of the first viewable data object in storage space of the first local server freed at the end of the delay.

33. (Thrice Amended) A network to provide viewable data objects to television viewers interactively, the network comprising:

a first [plurality of] local server[s] to store _viewable data objects, said first [each] local server being configured to transmit particular viewable data objects to a first [distinct and different] set of televisions, and [each local server] to transmit a particular viewable data object to one of the televisions in said first set of televisions in response to receiving a request from the one of the televisions in said first set of televisions;

a second local server to store viewable data objects, said second local server being configured to transmit particular viewable data objects to a second set of televisions and to transmit a particular viewable data object to one of the televisions in said second set of televisions in response to receiving a request from the one of the televisions in said second set of televisions;

a storage server coupled to distribute viewable data objects to the <u>first and second</u> local

servers, the storage server being responsive to demands of the sets of televisions

connected to each different local server; and

a content manager in communication with the storage server, <u>the first local server,</u> and

[each of] the <u>second</u> [plurality of] local server[s], the content manager being

configured to automatically control access to viewable data objects by a television.

34. (Amended) The system of claim 1, wherein said content manager is configured to control

access to a viewable data object by adaptively controlling distribution of said viewable

data objects among said storage server and said <u>first and second</u> local server<u>s</u> on the basis

of a property associated with each of said viewable data objects.

49. (Twice Amended) A method for providing a viewable data object to a viewer receiver, said

method comprising:

storing a <u>first</u> selection of viewable data objects on a first local server [selected from a

plurality of local servers], said first local server being in communication with said

viewer receiver;

<u>storing a second selection of viewable data objects on a second local server;</u>

storing a set of viewable data objects on a storage server in communication with <u>said</u>

<u>first local server and with said second</u> [each of said] local server[s], said set of

viewable data objects including said selection of viewable data objects

<u>providing a content manager in communication with said first local server, said second</u>

<u>local server, and said storage server, for</u> automatically managing each of said <u>first</u>

<u>and second</u> local servers to control access by said viewer receiver to a viewable data

object selected from said <u>first</u> selection of viewable data objects.

50. (Amended) The method of claim **49**, wherein automatically controlling access to a viewable

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data object by a viewer receiver comprises adaptively controlling distribution of said
viewable data objects among said storage server and said <u>first and second</u> local server<u>s</u> on
the basis of a property associated with each of said viewable data objects.

56. (**Amended**) The method of claim **55** further comprising assigning said priority to said
viewable data object on the basis of properties of a <u>first</u> local server designated as a
candidate to receive said viewable data object.